

REMARKS

Claims 13-37 are now pending in this application.

Original claims 1-12 were canceled.

New claims 13-37 were added to more particularly point out and distinctly claim the invention.

The new claims are believed to be fully supported within the originally filed application.

New claims 13-24 are supported, respectively, within originally pending, now canceled claims 1-12 with new claim 13 being further supported within original claims 1 and 3 and new claims 20 being supported within original claims 7 and 8.

New claims 25 and 26 are supported at page 3, lines 25-35.

New claims 27-29 are supported within originally pending now canceled claims 1-12 and specifically claims 8-10 as well as numerous places within the specification.

New claims 30-37 are supported in the specification on pages 8-10 specifically, see page 8, line 11 through page 10, line 15. No new matter has been added.

Response to Restriction Requirement

Within the Restriction Requirement the Examiner required election with respect to the originally pending claims as follows:

- Group I: Claims 1-6 and 10-12, drawn to carbonyl compound-trapping agents and compositions thereof;
- Group II: Claim 7, drawn to a cartridge filled with a carbonyl compound-trapping agent; or
- Group III: Claims 8-9, drawn to methods for preparing a peritoneal dialysate having reduced carbonyl compound content by using a carbonyl compound-trapping agent.

Applicants hereby elect to prosecute the claims of Group III, claims 8 and 9, with traverse. As stated in the MPEP §803, if search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. It is Applicants' position that it would not be unduly burdensome to perform a search on all of the newly added claims together.

Accordingly, Applicants traverse the restriction requirement.

Applicants expressly reserve the right under 35 USC §121 to file a divisional application

directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.

The original claims 8 and 9 have been canceled and replaced with new claims 20 and 21. The new claims 20 and 21 are directed to the elected invention of a method of preparing a peritoneal dialysate having reducing carbonyl carbon content by using a carbonyl compound-trapping agent. Further, the new claims 27-37 are all directed to the elected invention of Group III.

It is applicants position that absorbing carbonyl compounds from peritoneal dialysate is a novel concept linking the presently pending claims together. Accordingly, applicants respectfully request reconsideration and withdrawal of the Restriction Requirement and examination of all of the pending claims.

The new claims 13-18 as well as new claims 22-24 would be contained within the original Group I. New claim 19 would be contained within the original Group II. These claims include the concept of the peritoneal dialysate in combination with the carbonyl-trapping agent which concept could be searched by the Patent Office and a determination of patentability made. Applicants respectfully request such.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number SHIM-008.

Respectfully submitted,
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Date: 2/April/03

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